

News from Ed Markey

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MARKEY CALLS FOR INVESTIGATION OF ALLEGED LAWRENCE LIVERMORE LAB FRAUD, WHISTLEBLOWER RETALIATION

Washington, DC – Representative Edward J. Markey (D-MA), a senior Member of the Energy and Commerce Committee, today released a letter to the Department of Energy Inspector General (DOE IG) calling for an investigation into two separate sets of allegations of mismanagement of funds and whistleblower retaliation at Lawrence Livermore National Laboratory (LLNL), which is run for DOE by the University of California (UC).

“These allegations, if, true, would indicate that the recent disclosures at Los Alamos National Laboratory may represent just the tip of the iceberg of mismanagement, retaliation against whistleblowers, and other illegal activities that appear to be both tolerated and enabled by the laboratories, the University of California and the Department of Energy,” said Rep. Markey. “It is my hope that these problems will be aggressively investigated and remedied, so that we can get to the bottom of this.”

Rep. Markey’s letter to the DOE IG noted that allegations of illegal activities and whistleblower retaliation by LLNL have been brought in separate legal actions by Ms. Michelle Doggett, a former 11-year LLNL employee, and Mr. Don Adrian, formerly CEO of Industrial Controls Corporation (ICON). The letter notes that Ms. Doggett has alleged that:

- When she became aware of misappropriation of funds, falsification of records and other inappropriate activities in the Energy, Manufacturing, and Transportation Technologies (EMATT) program at LLNL, she repeatedly brought her concerns to the attention of LLNL management. She was discouraged from pursuing them further and no action was taken to resolve her concerns.
- She became an official DOE whistleblower in January 1997, and was interviewed by the Audit and Oversight, Legal and Security divisions within LLNL. Once LLNL completed its investigation, it turned over its Administrative report to the individuals Ms. Doggett had accused of wrongdoing, which revealed Ms. Doggett’s role as an informant in the investigation.
- She was then retaliated against by these individuals, first with a reduction in professional responsibilities and exclusion from key meetings, and then with harassment, hostility, and threats to her spouse’s job at LLNL. She took medical leave due to stress, and was constructively discharged from the lab in 1999 after she repeatedly attempted to return to her original job in EMATT.

The Markey letter also notes that Mr. Don Adrian has also made allegations against some of the same individuals at EMATT and LLNL management as Ms. Doggett, and alleges:

- That in 1996, Mr. Adrian began to suspect that EMATT personnel at LLNL had diverted almost half of the \$12 million in funds supposed to be used for its Cooperative Research and Development Agreement (CRADA) with ICON for other projects within LLNL.
- Mr. Adrian repeatedly informed LLNL personnel and DOE management of this mis-use of funds, but was discouraged from continuing to pursue the matter and no action was taken to recover the funds.
- LLNL personnel then retaliated against ICON by intentionally submitting flawed software to the Department of Defense (DOD) as part of the CRADA requirements in order to undermine ICON’s

DOD contract, but shortly thereafter claimed ownership of a working version of the software that LLNL demonstrated to DOD secretly.

- The LLNL retaliation continued when LLNL made false allegations about ICON that led to an FBI investigation of ICON, which ultimately forced the company into bankruptcy even though it was eventually cleared of all wrongdoing.
- After ICON went bankrupt, LLNL obtained the DOD contract formerly held by ICON.

In the letter released today, Rep. Markey requested that the DOE IG immediately commence an investigation into these allegations. Rep. Markey concluded, "These latest allegations need to be investigated, and that DOE needs to consider open the contract for operating these laboratories to competitive bidding so we can bring in a new management team to run these labs. Enough is enough."

For a copy of the letter sent to the DOE IG, please see www.house.gov/markey.